

DANIEL G. BOGDEN
 United States Attorney
 Nevada State Bar No. 2137
 DANIEL D. HOLLINGSWORTH
 Assistant United States Attorney
 Nevada State Bar No. 1925
 Lloyd D. George United States Courthouse
 333 Las Vegas Boulevard South, Suite 5000
 Las Vegas, Nevada 89101
 Telephone: (702) 388-6336
 Facsimile: (702) 388-6418
 E-mail: Daniel.Hollingsworth@usgoj.gov
 Counsel for the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:11-CV-647-ECR (GWF)
)	
\$43,473.41 IN UNITED STATES CURRENCY,)	
)	
Defendant.)	

MOTION FOR AN ORDER TO SEAL THE COMPLAINT FOR FORFEITURE *IN REM*
(DOCKET #1), TO REPLACE THE SEALED COMPLAINT (#1) WITH A REDACTED
COMPLAINT AND ORDER

The United States of America (“United States”), by and through Daniel G. Bogden, United States Attorney for the District of Nevada, and Daniel D. Hollingsworth, Assistant United States Attorney, respectfully moves this Court for an Order to seal the Complaint for Forfeiture *in Rem* (#1) and to replace it with a redacted Complaint for Forfeiture *in Rem* in the above-captioned case.

The basis for sealing the Complaint for Forfeiture *in Rem* (#1) (“Complaint”) and filing a redacted Complaint for Forfeiture *in Rem* is Fed. R. Civ. P. 5.2 authorizes those actions.

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1 This motion is made and is based on the attached Memorandum of Points and Authorities.

2 DATED: May 11, 2011.

3 Respectfully submitted,

4 DANIEL G. BOGDEN
5 United States Attorney

6 /s/DaneilDHollingsworth
7 DANIEL D. HOLLINGSWORTH
8 Assistant United States Attorney
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MEMORANDUM OF POINTS AND AUTHORITIES

Fed. R. Civ. P. 5.2 protects social security numbers, taxpayer-identification numbers, birth dates, and financial-account numbers. Fed. R. Civ. P. 5.2(a). The Complaint (#1) uses the above-named numbers to show the crimes and the flow of the criminal proceeds from the crimes to the \$43,473.41 in United States Currency. #1. “The redaction requirement does not apply to . . . a financial-account number that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;” Fed. R. Civ. P. 5.2(b)(1). In order for the United States to fully convey to this Court the facts of this case the United States must include unredacted numbers.

Fed. R. Civ. P. 5.2(d) authorizes this Court to seal the Complaint (#1) and to file a redacted Complaint. This Court can order a redacted version for the public record. Fed. R. Civ. P. 5.2(d). The court retains the unredacted complaint as part of the record. Fed. R. Civ. P. 5.2(f). By sealing the Complaint (#1) the sensitive numbers will be protected, but this judicial civil forfeiture in rem action may prosecuted. By filing the attached redacted Complaint, the public will have some knowledge concerning this case, but the sensitive numbers will be protected. The United States will serve the potential claimants the redacted Complaint and file the redacted Complaint with the service of process return.

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1 **CONCLUSION**

2 This Court should seal the Complaint for Forfeiture *in Rem* (#1), replace it with the attached
3 Redacted Complaint for Forfeiture *in Rem*, authorize the service of the redacted Complaint on the
4 potential claimants, and authorize the use of the redacted Complaint for the service of process return.


5 DATED: May 11, 2011.

6 Respectfully submitted,

7 DANIEL G. BOGDEN
8 United States Attorney

9 /s/DanielDHollingsworth
10 DANIEL D. HOLLINGSWORTH
11 Assistant United States Attorney

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13 IT IS SO ORDERED:

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15 GEORGE FOLEY, JR.
16 United States Magistrate Judge

17 DATED: May 12, 2011
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